

Martha G. Bronitsky
Chapter 13 Standing Trustee
Po Box 5004
Hayward, CA 94540
(510) 266- 5580

Trustee for Debtor(s)

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

In re

Carol Lee Depuydt-Meier

Chapter 13 Case No. 20-41288-WJL13

debtor(s)

CHAPTER 13 TRUSTEE'S OBJECTION TO CLAIM OF EXEMPTIONS

Martha G. Bronitsky, Chapter 13 Standing Trustee ("Trustee"), objects to the Debtor's claim of exemptions.

The Trustee requests, that the Court take judicial notice of its own records in the case herein in support of the facts set forth below. Fed.R.Evid.201.

BACKGROUND & ANALYSIS

1. Debtor filed this case on August 03, 2020.

2. California is an opt-out state. Debtors may not take the federal exemptions contained in 11 U.S.A § 522(D). Cal Code Civ. Proc. § 703.130. California offers debtors alternative exemption schemes-one based on California's regular judgment exemptions.

(Cal. Code Civ. Proc. §§ 703.010 to 704.995, hereafter the "regular exemptions") and another substantially similar to the federal bankruptcy exemptions (Cal. Code Civ. Proc. § 703.140(b), hereafter the "special exemptions"). Cal Code Civ. Proc § 703.140. In California, debtors in bankruptcy can choose either the regular exemptions or special exemptions. Cal. Code Civ. Proc. § 703.140.

1 3. Debtor has not cited any legal authority (i.e. statute) in exemption of her homestead,
2 electronics, piano, clothes, and retirement. Debtor is in no way entitled to a homestead
3 exemption of \$362,000.00. Debtor is at most entitled to a \$75,000.00 homestead exemption
4 pursuant to CCP 704.730.

5 **CONCLUSION**

6 WHEREFORE, the Trustee respectfully objects to the Debtor's claimed exemptions. A
7 hearing shall be set, when and if necessary, based on further investigation and analysis.

8 RESPECTFULLY SUBMITTED

9
10 Date: September 08, 2020

/s/ Martha G. Bronitsky

Signature of Martha G. Bronitsky
Chapter 13 Standing Trustee

1 In re

2 Carol Lee Depuydt-Meier
3 debtor(s)

Chapter 13 Case No.
20-41288-WJL13

4 CERTIFICATE OF SERVICE

5 I HEREBY CERTIFY that I have served a copy of the within and foregoing document
6 on the debtor (s), counsel for debtor (s), and if applicable, the creditor, creditor
7 representatives and the registered agent for the creditor by depositing it in the United
8 States mail with first class postage attached thereto.

9 I declare under penalty of perjury under the laws of the State of California that the
10 foregoing is true and correct.

11 Carol Lee Depuydt-Meier
12 61 Rudgear Drive
13 Walnut Creek, CA 94596

Pro Per

(Counsel for Debtor)

(Debtor(s))

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15
16 Date: September 08, 2020

/s/ Nima Ghazvini
Nima Ghazvini